

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN RE:

JOE JESSE MONGE and  
ROSANA ELENA MONGE,

Debtors.

JOE JESSE MONGE and  
ROSANA ELENA MONGE,

Plaintiffs,

V.

ALICIA ROJAS and FRANCISCO JAYME,

Defendants.

CASE NO. 09-30881-lmc

CHAPTER 11

ADVERSARY NO. 10-3019

## JOINT STIPULATION FOR ENTRY OF ORDER TO EXTEND DEADLINES

TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, JOE JESSE MONGE and ROSANA ELENA MONGE, Plaintiffs herein, joined by ALICIA ROJAS and FRANCISCO JAYME (“Defendants”), Defendants herein, and file this their Joint Stipulation Extending all Deadlines and Moving for Continuance on the Docket Call for Trial, and as grounds therefore state:

1. The deadlines established in the above-captioned case provide that discovery be completed by 06/24/2011, that the pretrial order be submitted by 07/27/2011, and that the docket call for trial be held on 08/10/2011.

2. The parties were in the midst of taking depositions in June, which depositions were delayed based upon serious settlement discussions that took place during the said depositions. Plaintiff took depositions first, and completed their depositions, but Defendants' depositions were delayed. The settlement negotiations have broken down, and the parties are discussing a time to continue those depositions, but have not been able to find a time when all parties and counsel are available. Both Plaintiffs and Defendants believe that additional discovery will be beneficial.

3. During this time, the US Supreme Court case of Stern v. Marshall was decided. The parties believe that the claims of both the Plaintiffs and the Defendants in the above-captioned adversary proceeding contain state-law claims. The parties feel that it would be advantageous to have some more time to determine the effect of the Stern v. Marshall decision on this adversary proceeding.

4. The parties, therefore, jointly stipulate that all of the deadlines in this case be extended for a period of sixty (60) days to allow for the parties to fully develop the facts and obtain documents, potentially from third parties, and to attempt to determine the effect on this case of the Stern v. Marshall decision. Such an extension of sixty (60) days will require that the docket call for trial to be continued, and the parties, therefore, jointly move that the docket call for trial be continued to account for the said extension.

4. It is further agreed that this Stipulation is without prejudice to the rights of Plaintiffs or Defendants to seek additional extensions of the Deadlines in this case by and through another stipulation or further order of this Court and either parties' right to object thereto.

5. The undersigned parties agree that this Court shall retain jurisdiction to hear and determine all matters arising from or related to implementation of this Order.

WHEREFORE, Plaintiffs and Defendants request that the Court enter the Joint Stipulation extending all deadlines in this case.

DATED: July 14, 2011

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